

1. I consent to be a party plaintiff in *Marin v. Apple Metro, Inc.*, No. 12 Civ. 5274 (EDNY) and *Dove v. Apple Metro, Inc.*, No. 13 Civ. 1417 (EDNY).

2. I also seek redress for other violations of the Fair Labor Standards Act, including Defendants' failure to pay me at the proper minimum wage rate for (1) work I performed that was not related to my tip-producing duties and for (2) any work that I performed that related to my tipped duties but was non-tip producing and exceeded 20 percent of my worktime. The Plaintiffs in *Marin* and *Dove* did not raise these claims in their complaints.

3. By signing and returning this consent form, I hereby designate Outten & Golden LLP and Fitapelli & Schaffer, LLP, to represent me in such lawsuit and to make decisions on my behalf concerning the litigation and any settlement. I do not consent to Borrelli and Associates, P.L.L.C. or The Ottinger Firm, P.C. representing me, making any decisions on my behalf, or recovering any attorneys' fees or costs based on my individual, class, or collective claims.

Todd Whittington
Todd Whittington (Mar 5, 2015)

Signature

Todd Whittington

Print

Address

Mar 5, 2015

Date

Telephone number

City, State and Zip Code

REDACTED

Email address